

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 18-51115

SHARON R. HOLLOWAY,

Chapter 7

Debtor.

Judge Thomas J. Tucker

ORDER DENYING DISCHARGE IN A CHAPTER 7 CASE

The Debtor in this case received a Chapter 7 discharge in a prior case, Case No. 10-65217, on November 16, 2010. That prior case was filed on August 10, 2010. The Debtor filed her Chapter 7 bankruptcy petition in the present case on August 10, 2018, eight years to the day after the Debtor filed her prior Chapter 7 bankruptcy case.

On August 16, 2018, the Court entered an order entitled “Order to Show Cause Why Debtor is Entitled to a Discharge” (Docket # 11, “Show-Cause Order”), which provided in relevant part:

IT IS ORDERED that, unless the debtor(s) agree that he/she is not entitled to a discharge, the Debtor(s) and attorney for the Debtor(s) [must] appear before this Court on August 29, 2018 at 9:00 a.m. in Courtroom 1925, and show cause why the Debtor(s) is entitled to a discharge in view of 11 U.S.C. § 727(a)(8) and § 727(a)(9).

The Court held a hearing on August 29, 2018. The Debtor’s attorney appeared at the hearing. At the hearing, the Court determined that the Debtor is not eligible for a discharge in view of 11 U.S.C. § 727(a)(8), because the Debtor received a Chapter 7 discharge “in a case commenced within 8 years before the date of the filing of the petition” for relief in this case. The Court so concludes for the reasons stated by the Court on the record during the hearing.

Accordingly,

IT IS ORDERED that the Debtor’s discharge is denied.

IT IS FURTHER ORDERED that, consistent with 11 U.S.C. §§ 362 (a) and 362(c)(1), the automatic stay under § 362(a) continues with respect to any act against property of the estate, until such property is no longer property of the estate; or until such stay terminates under some other provision of the Bankruptcy Code; or until the Court orders otherwise.

IT IS FURTHER ORDERED that, consistent with 11 U.S.C. §§ 362 (a) and 362(c)(2)(C), the automatic stay under § 362(a) of any act other than an act against property of the estate is

terminated.

Signed on August 29, 2018



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge